

COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 C.F.R. §1.63)

As a below named inventor, I hereby declare:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor or an original, first and joint inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled:

MINIMISING CARBON TRANSFER IN AN ELECTROLYTIC CELL

| the spe | cilication of which (che | eck one) | | | |
|---|---|---|----------------------------------|--|---|
| | is attached hereto. | | | | |
| \boxtimes | was filed on April 15 applicable). | , 2005 as United States A | Applicatio | on No. <u>10/531,650</u> and w | ras amended on (if |
| | | iewed and understand the mendment referred to abo | | s of the above identified | specification, including the |
| be mat applica | erial to the patentabilitions, material informa | ty of this application as d | lefined in able betv | 37 C.F.R. §1.56, includ veen the filing date of the | information that I know to ing for continuation-in-part e prior application and the |
| patent designa checkir Interna | or inventor's or plant ated at least one cou ig the box, any foreig | breeder's rights certificate ntry other than the Unite | e(s), or § ed States or inventor | 365(a) of any PCT Inters, listed below and have tor's or plant breeder's r | ny foreign application(s) for mational application which also identified below, by ights certificate(s) or PCT is claimed. Priority Not Claimed |
| | J2003/001364 | PCT | Octobe | er 15, 2003 | |
| (Numbe | er) | (Country) | (Filing | Date, MM/DD/YYYY) | |
| 200295 | | Australia | | er 16, 2002 | |
| (Numbe | er) | (Country) | (Filing | Date, MM/DD/YYYY) | |
| I hereb | y claim the benefit und | er 35 U.S.C. §119(e) of a | ny United | d States provisional applic | cation(s) listed below: |
| (Applica | ation Serial No.) | (Filing Date, MM/DD/YY) | YY) | (Status: pending, or aba | indoned) |
| (Applica | ation Serial No.) | (Filing Date, MM/DD/YY) | YY) | (Status: pending, or aba | indoned) |
| (Applica | ation Serial No.) | (Filing Date, MM/DD/YY) | (YY) | (Status: pending, or aba | indoned) |
| | | | | | |

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| PCT/AU2003/001364 (Application Serial No.) | October 15, 2003 (Filing Date, MM/DD/YYYY) | Published (Status: patented, pending, abandoned) | _ |
|---|---|--|---|
| (Application Serial No.) | (Filing Date, MM/DD/YYYY) | (Status: patented, pending, abandoned) | _ |
| (Application Serial No.) | (Filing Date, MM/DD/YYYY) | (Status: patented, pending, abandoned) | _ |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I HEREBY APPOINT the following Practitioners as my attorneys, with full power of substitution and revocation, to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent(s), to transact all business in the United States Patent and Trademark Office connected therewith, and to act on my behalf before the competent International Authorities in connection with any and all international applications filed by me:

Name (Reg. No.)

Name (Reg. No.)

Name (Reg. No.)

G. Peter Nichols, Reg. No. 34,401

PLEASE RECOGNIZE or change the CORRESPONDENCE ADDRESS for this application to the address associated with the following Customer Number:

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| | Full name of sole or first inventor | |
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